

REMARKS

All currently pending claims (28 to 44) have been rejected under 35 USC §103 in view of Pearlman (US6,321,111) and Ntziachristos (US6,615,063). The Applicant traverses the rejections and contend a *prima facie* case of obviousness has not been made. Perlman is limited to a pulsed light source at one wavelength. Ntziachristos discloses continuous wave light at two frequencies. Both Perlman and Ntziachristos is silent as to disclosing a pulsed light source at multiple wavelength as the Applicant now claims. In fact, Perlman teaches away from what the Applicant claims by disclosing only a one wavelength light source. Ntziachristos teaches away by disclosing a continuous wavelength. It is well settled that a reference must be considered in its entirety including those sections that teach away from what the applicant claims. Since the above references do not disclose what the applicant claims, withdrawal of the rejection is respectfully requested. Applicant contends that since the independent claim should be allowable, the claims which depend thereon should also be allowable. Withdrawal of the rejections are, therefore, respectfully requested.

CONCLUSION

If any issues remain, or if the Examiner has any suggestions for expediting allowance of this application, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below. Favorable reconsideration is respectfully requested.

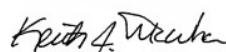
AUTHORIZATION

The Commissioner is hereby authorized to charge any fees which may be required for consideration of this Amendment or credit any overpayment to Deposit Account No. 50-**1145-4500**, Order No. 703734.000050. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
DAY PITNEY, L.L.P.

Dated: March 15, 2010

By:



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